

California Department of Insurance

Fraud Division

November 2012 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

November 2012 Workers' Compensation Fraud Convictions

CDI Case Number: 09AW019065

County: Sacramento

Defendant: Ershad Ali

City/County of Residence: Sacramento/Sacramento

Conviction Date: 11/19/12

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 year Informal Probation, \$120 Civil Fine, \$5,100 Criminal Fine (Suspended Pending Successful Completion of Probation)

CDI Case Name: Hallmark Roofing

CDI Case Number: 10GW020339

County: San Mateo

Defendant: Camille Kathryn Applegate

City/County of Residence: Belmont/San Mateo

Conviction Date: 11/27/12

Offense: 8 Counts of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$775,627.18

Sentence: 8 months County Jail (approved 120 days of Electronic Monitoring or House Arrest and 120 Days of Work Furlough), 5 Years Supervised Probation, \$629,391.10 Restitution to State Compensation Insurance Fund (\$100,00 has been paid), \$146,236.08 Restitution to State of California Employment Development Department (\$100,00 has been paid), Restitution Amounts to be paid Jointly and Severally with John Applegate, \$240 Civil Fine, Pay Cost of Probation Supervision of \$100 per month

CDI Case Name: Hallmark Roofing

CDI Case Number: 10GW020339

County: San Mateo

Defendant: John Robert Applegate, Jr.

City/County of Residence: Belmont/San Mateo

Conviction Date: 11/27/12

Offense: 8 Counts of IC 11880(a) (Premium Fraud)

Amount Allegedly Defrauded: \$775,627.18

Sentence: 8 months County Jail (approved 120 Days of Work Furlough and 120 days of Electronic Monitoring or House Arrest), 5 Years Supervised Probation, \$629,391.10 Restitution to State Compensation Insurance Fund (\$100,00 has been paid), \$146,236.08 Restitution to State of California Employment Development Department (\$100,00 has been paid), Restitution Amounts to be paid Jointly and Severally with Camille Applegate, \$240 Civil Fine, Pay Cost of Probation Supervision of \$100 per month

Case Number: CRM021394

County: Merced

Defendant: Ronnie Leonard Avery

City/County of Residence: Turlock/Stanislaus

Conviction Date: 11/14/12

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 Day County Jail, 5 Years Conditional Probation, \$10,000 Criminal Fine

CDI Case Number: 11JW017703

County: Los Angeles

Defendant: Jose Abel Favela Avila

City/County of Residence: San Fernando/Los Angeles

Conviction Date: 11/28/12

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$2,681

Sentence: Defendant Ordered to be Booked And Released, 100 Hours Community Service (Completed), 2 Years Summary Probation, \$2,681 Restitution (Paid In Full), \$120 Civil Fine

CDI Case Number: 11HW007374

County: Riverside

Defendant: Susan Diane Avila

City/County of Residence: Nuevo/Riverside

Conviction Date: 11/21/12

Offense: 3 Counts of PC 550(b)(3) (Failure to Disclose)

Amount Allegedly Defrauded: \$2,349.88

Sentence: 9 Years Riverside County Jail (Includes a previous San Bernardino County Conviction where 4 Years County Jail were imposed and this Riverside County Conviction of 5 Years) (Suspended); 4 Years County Jail, 60 Months Supervised Release Grant, \$2,349.88 Restitution, \$240 Civil Fine

Case Number: BA395901

County: Los Angeles

Defendant: Concepcion De Maria Centeno

City/County of Residence: Not available at this time

Conviction Date: 11/9/12

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$2,180.53

Sentence: 1 Day County Jail, 40 Hours Community Service (Proof of Completion Has Been Provided), 2 Years Summary Probation, \$2,180.53 Restitution, \$120 Civil Fine

CDI Case Name: Maggini & Sons Hay Company

CDI Case Number: 06FW022412

County: Fresno

Defendant: Barbara Ipsen

City/County of Residence: Riverdale/Fresno

Conviction Date: 11/09/12

Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)

Amount Allegedly Defrauded: \$240,000

Sentence: 2 Years Conditional Probation, \$120 Civil Fine

Case Number: 12C15413

County: Calaveras (Prosecuted by Amador County)

Defendant: Jason Cornell Jarman

City/County of Residence: Copperopolis/Calaveras

Conviction Date: 11/05/12

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 12 Months Conditional Probation, \$220 Civil Fine, \$1,100 Payable to Workers' Compensation Fraud Fund

Case Number: SCD241144

County: San Diego

Defendant: Tada Lap

City/County of Residence: Not available at this time

Conviction Date: 11/01/12

Offense: 1 Count of PC 550(b)(1) (Failure to Disclose Material Information) (Misdemeanor)

Amount Allegedly Defrauded: \$1,733.08

Sentence: 1 Day County Jail, 3 Years Court Probation, \$1,733.08 Restitution (Deemed Satisfied), \$120 Civil Fine, \$255 Criminal Fine (Defendant to receive \$100 credit towards Fines for Custody Served), Pay \$570 for Attorney (Public Defender) Fees

Case Number: 12C15591

County: Calaveras (Prosecuted by Amador County)

Defendant: David Russell Willey

City/County of Residence: Arnold/Calaveras

Conviction Date: 11/13/12

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 12 Months Conditional Probation, \$1,020 Criminal Fine